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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/832,373	04/11/2001	Tonis Kasvand	8673-117 (8061-598 SJP:kl)	4525
22150	7590	01/19/2005	EXAMINER	
F. CHAU & ASSOCIATES, LLC 130 WOODBURY ROAD WOODBURY, NY 11797			PATEL, ASHOKKUMAR B	
			ART UNIT	PAPER NUMBER
			2154	

DATE MAILED: 01/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application N .

09/832,373

Applicant(s)

KASVAND ET AL.

Examiner

Ashok B. Patel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 October 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Application Number 09/832, 373 was filed on 04/11/2001. Claims 1-5 are subject to examination.

Response to Arguments

2. Applicant's arguments filed October 18, 2004 have been fully considered but they are not persuasive for the following reasons:

a. In response to Applicant's arguments that "However, Chivaluri does not disclose a network administration system as recited in the presently amended claims. In particular, Chivaluri does not disclose "means for receiving said status logs and generating higher level logs in response to predetermined rule sets being satisfied" in combination with "parsing each of said predetermined ones of said higher level logs to determine their respective sources and triggering execution of said commands in said execution sets in respect of said respective sources" as recited in claims 1 to 5. While Chivaluri describes a system that can carry out corrective action by executing scripts in response to occurrence of defined events, Chivaluri does not disclose triggering execution of commands in response to anything but the alarms received directly from management components on administrative computers, server computers and managed computers within the network. As such, Chivaluri does not anticipate or render obvious any of claims 1 to 5.", the reference teaches "means for receiving status logs (Management agents, Fig. 4, elements "MA") and generates generating higher level logs in response to predetermined rule sets being satisfied (The reference teaches the "Generating logs" capabilities of the management agents and then come back to the

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step of monitoring the events in Fig, 7, col. 9, lines 32-48 by stating "However, if the priority connection attempt was not successful, then management agent 344 logs 750 the attempt failure and determines 752 whether the retries for a priority connection have been exhausted using a method similar to that described above in conjunction with step 743. If the priority retries have been exhausted, then the FIG. 7 process returns to step 722.")

The reference does not teach "A set of management agents each includes alarms and information that enable corrective action to be taken.", as stated by the Applicant. The reference teaches "Each management agent includes alarms and information that defines alarm criteria and enables corrective action to be taken. (col.2, lines 28-30), and "Alternatively, the corrective scripts can be run by management agents as remote shell execution on a management engine or management interface itself." col. 2, lines 56-58. As such the reference inherently teaches "parsing each of said predetermined ones of said higher level logs to determine their respective sources and triggering execution of said commands in said execution sets in respect of said respective sources". Thus Chivaluri anticipates the claims 1-5.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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4. Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Chivaluri (US 5, 872, 931).

Referring to claim 1,

The reference teaches a network administration system for triggering commands in response to receipt of status logs generated by network devices and applications (Abstract), comprising:

Means for receiving said status logs (management agents, Fig. 4, elements "MA") and generating higher level logs in response to predetermined rule sets being satisfied (col.2, lines 25-37, col. 2, line 54-56, col. 9, lines 32-48);

a user interface for programming execution sets of said commands in association with predetermined ones of said higher level logs; and (col.2, lines 6-37)

program means for receiving said higher level logs, parsing each of said higher level logs to determine their respective sources and triggering execution of said commands in said execution sets in respect of each of said respective sources. (col.2, lines 38 through col. 3, line 3)

Referring to claim 2,

The reference teaches the network administration system of claim 1, wherein said user interface provides ordered execution of multiple commands associated with said higher level logs in accordance with user preference. (col.6, lines 28-50).

Referring to claim 3,

The reference teaches the network administration system of claim 1, wherein said user interface and program means are implemented within one of said network devices.

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(Fig.3, elements 340 and 344).

Referring to claim 4,

Claim 4 is a claim to method steps that are carried by the system claim 1. Therefore claim 4 is rejected for the reasons set forth for claim1.

Referring to claim 5,

The reference teaches the method of claim 4, wherein said steps of receiving said higher level logs and said higher level logs. Parsing each of said predetermined ones of said higher level logs to determine their respective sources and triggering execution of said commands in said execution sets further comprise the steps of: a) detecting an execution set associated with a received higher level log; and b) executing each successive command in said execution set. (Fig.5, col.5, line 56 thru col.6, line 50, col.2, lines 28-30, col. 2, lines 56-58).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Abp

 JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100